

Notice of Allowability

Application No.

10/772,350

Examiner

Marcus T. Riley

Applicant(s)

JU ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received by the Office on 04 September 2007.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Twyler Lamb Haskins
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. This office action is responsive to the applicant's remarks received on September 04, 2007. Before this amendment, claims 1-15 were pending. Claims 1-15 have been fully considered and are persuasive.

Response to Arguments

2. Applicant's arguments with respect to amended claims 1, 4, 5, 8-10 filed on September 04, 2007 have been fully considered and are persuasive.

Claim Rejections

3. See Applicant's Arguments, page 9-16, filed September 4, 2007, with respect to claim rejections under 35 U.S.C. 102 and 103, have been fully considered and are persuasive. Claim 15 was rejected under 35 U.S.C. 102. In light of the amendments presented, Examiner withdraws the 102 rejection for claim 15. Furthermore, claims 1 and 12 was rejected under 35 U.S.C. 103. In light of the amendments presented, Examiner withdraws the 103 rejections for independent claim 1 and claims 2-11 which depend from independent claim 1. Examiner also withdraws the 103 rejections for independent claim 12 and claims 13 and 14 which depend from independent claim 12.

In view of the formal amendment submitted by applicant which adds the objected subject matter of claim 1, and the elements of independent claims 1, 12 and 15 are now considered to be allowable subject matter to include claims 2-11, 13 and 14 dependent therefrom.

Claim Objections

(The previous claim objections are withdrawn in light of the applicant's amendments.)

Allowable Subject Matter

4. Claims 1-15 are allowed.
5. The following is Examiners statement of reasons for allowance:

Claim 1, 12 and 15 uniquely identify the distinct features of a scanner that is rotatable between at least a first and second direction. That is, in addition to being movable between the first and second position, the scanner is rotatable between at least first and second directions. For example: Claim 1 recites "An inkjet multi-function machine for scanning and printing in which a print head and scanner can more effectively perform both a scanning and a printing operation by using cooperative positioning, the machine comprising: a scanner unit having a rotatable scanner so as to perform a scanning operation, the rotatable scanner comprising at least one sensing face; a printer unit having a carriage to move a print head for jetting ink onto a sheet of paper so as to perform a printing operation; and a scanner fixing unit comprising a scanner position adjuster for fixing and supporting the rotatable scanner to be movable between a first position for scanning a document in the scanning operation, and a second position for scanning a sheet of paper in the printing operation, said scanner fixing unit further comprising a fixer for fixing the scanner position adjuster on the carriage to allow the rotatable scanner to move together with the carriage when the carriage moves, and at the same time, to allow the scanner position adjuster to selectively move the rotatable scanner between the first and the second position."

The closest prior art made of record with regards to the Examiner's 102 and 103 rejections includes: Yamada (US 5,812,172 hereinafter, Yamada '172); Yamada '172 in

combination with Itoyama et al. (US 6,488,353 hereinafter, Itoyama '353); and Yamada '172 in combination with Itoyama '353 and Matsuda (US 6,633,414, hereinafter '414).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue and fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

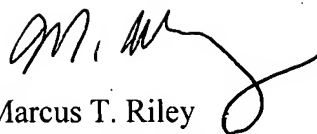
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus T. Riley whose telephone number is 571-270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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